

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C.

In the Matter of)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations)
(Fountain Green, Utah))

MM Docket No. 99-222
RM-9602

RECEIVED

AUG 9 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Chief, Policy and Rules Division

COMMENTS AND COUNTER PROPOSAL

Micro Communications, Inc. ("Micro") by its attorney, pursuant to section 1.420(d) of the Commission's rules hereby respectfully submits its comments and a counter proposal in the captioned matter.

Micro respectfully submits herewith its counter proposal to allot channel 256A at Fountain Green, Utah in lieu of channel 244A, as the petitioner had requested, as this will permit the use of channel 244C1 at Levan, Utah as an upgrade for station KBLN (FM), channel 256A, of which Micro is permittee. We respectfully note that Levan and Fountain Green are approximately 12 miles distant, as can be seen on the contour map submitted as part of the engineering statement hereto. Accordingly, this counter proposal is properly raised in the context of the present proceeding.

As demonstrated in the engineering statement of Joel T. Saxberg submitted herewith, channel 256A would be fully spaced at Fountain Green, both with respect to the city center coordinates and the coordinates proposed by the petitioner in RM-9602. Similarly, channel 244C1 at Levan would be fully spaced, both at the city center coordinates of that community as well as at the authorized transmitter site of station KBLN. Since no change of site is being proposed, it is evident that each of the proposed facilities would place no less a signal over its

No. of Copies rec'd
List ABCDE

014

proposed community of license than at present, nor would there be any loss of service area. On the contrary, because the counter proposal is to upgrade the KBLN allotment from a Class A to a Class C1 channel, there will be a significant increase in area and population covered by station KBLN, as described in the attached engineering statement.

We further request that the permit for station KBLN be modified accordingly.

In sum, the instant counter proposal will cause no detriment, but will result in significant increase in coverage by station KBLN.

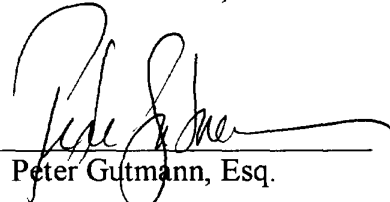
Upon allotment of channel 244C1 to Levan, Utah and modification of the KBLN permit for that allotment, Micro will promptly apply for such facilities, and, upon grant of its application, will promptly construct and operate the proposed facility.

For the foregoing reasons, Micro Communications, Inc. respectfully requests that the Commission amend the FM table of allotments, section 73.202(b) of the Commission's rules, as follows:

	<u>Present and RM-9602</u>	<u>Counter Proposal</u>
Fountain Green, Utah	244A	256A
Levan, Utah	256A	244C1

Respectfully submitted,

Micro Communications, Inc.

By: 
Peter Gutmann, Esq.

Its Attorney

Pepper & Corazzini, L.L.P.
1776 K Street, N.W., Suite 200
Washington, D.C. 20006
(202) 296-0600

PETITION FOR RULE MAKING COUNTER PROPOSAL

BY

MICRO COMMUNICATIONS, INC.

PERMITEE OF KBLN, CH 256A, LEVAN, UT

TO

ASSIGN CH 244A, FOUNTAIN GREEN, UT

TO

CH 244C1, LEVAN, UT

AND TO

ASSIGN CH 256A, LEVAN UT

TO

CH 256A FOUNTAIN GREEN, UT

AUGUST 1999

**BY: BEEM COMPANY
ARCADIA, CA
(626) 446-3468**

ENGINEERING STATEMENT OF JOEL T. SAXBERG

Micro Communications, Inc. permittee of FM construction permit for CH 256A, call sign KBLN, Levan, UT, proposes a Channel swap with a proposed Class "A" drop-in to Fountain Green, UT. Mountain West Broadcasting is requesting a CH 244A drop-in to Fountain Green, UT. This counter proposal would provide Fountain Green with a non-short spaced class "A" allocation on CH 256. In turn CH 244 would be assigned to Levan, UT for use by KBLN. Additionally, a one step upgrade for the proposed Levan Channel 256 allocation to Class "C1" is also being sought. Allocation studies included in the engineering exhibit indicate a C1 upgrade at the present KBLN site would cause no short spacings to any other allocations.

Our electronic atlas shows the city center coordinates for Levan, UT at: N 39-33-31 X W 111-51-40. The city center coordinates for Fountain Green, UT are shown at: N 39-37-48, W 111-38-04. Allocation studies using city center coordinates show no-short spacing or site restrictions required.

The present coverage of KBLN is 3,785 sq. kilometers and the present population within the 60 dBu contour is 9,130. Using the same HAAT as shown in the KBLN construction permit, 100 kW Class "C1" coverage area increases to 9,831 sq. kilometers and the population within the 60 dBu contour increases to 26,980.

It is believed that this rule making counter proposal is in the public interest and will provide radio services to areas where there are limited listenable Channels.

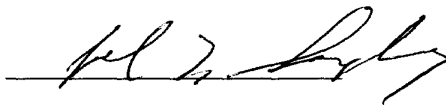
ENGINEERING CERTIFICATION

JOEL T. SAXBERG deposes and says:

1. That he is President of Broadcast Engineering and Equipment Maintenance Company, "**BEEM CO.**", radio engineering consultants. **BEEM CO.** maintains offices at: 2322 S. Second Avenue, Arcadia, CA 91006. Telephone (626) 446-3468
2. That he was graduated from California State University at Los Angeles, February 1966, with a Bachelor of Science degree in Electronic Engineering. He received a MS degree in Electronic Engineering Technology in August 1996.
3. That he has submitted many applications to the Federal Communications Commission for broadcast and auxiliary broadcast construction permits and licenses.
4. That his experience in broadcast engineering is a matter of record and he has spent over thirty years working in the field of radio engineering.
5. That the attached engineering exhibit and reports were prepared by him or under his direction and supervision. That he believes the facts stated therein to be both true and accurate. Statements that are based on information supplied by others are also believed to be true and accurate.
6. That he has performed field work on AM and FM broadcast transmitting systems throughout this country and continues to provide technical consulting services on a daily basis to broadcasters.
7. That he declares under penalty of perjury the foregoing is true and correct.

Executed on

8/5/99



Joel T. Saxberg

[illegible]

20 Miles

20 KM

08-02-1999

BEEM Company

PAGE 1

FM Study for: KBLN
 Location: LEVAN, UT
 Call City, State
 Status Proponent

FCC Database Date: 7/1999 39-33-32
 Channel Class: C1 111-46-55
 Chan Class Freq kW Latitude Dist. Required
 File Number HAAT Longitude Azm. Clear (km)

 >>>>>>> Study For Channel 244 96.7 mHz <<<<<<<<

FR ADD FOUNTAIN GREEN, UT 244 A 96.7 39-37-42 14.4 200
 ADD Mountain West Broadca Docket-99-222 0 111-38-24 57.6 -185.6 SHORT
 Use of 73.215 for short spacing requires: 178 -163.6 SHORT
 Drop-in w/o site restriction req.

KKEX PRESTON, ID 244 C1 96.7 55. 41-52-18 256.8 245
 CP Sun Valley Radio, Inc BPH-940203ID 66 111-48-31 359.5 +11.8 CLOSE
 From Channel 244A per One-Step Process-Transmitter Site is located in Utah

KXRK PROVO, UT 242 C 96.3 38.+ 40-36-28 120.8 105
 LIC Acme Broadcasting, In BLH-951207KA 900 112-09-26 344.8 +15.8 CLEAR

KISNFM SALT LAKE CITY, UT 246 C 97.1 30.0 40-39-35 127.4 105
 LIC KISN-FM License L.P. BMLH-890328KA1113 112-12-05 343.8 +22.4 CLEAR
 GRANDFATHERED AT 30KW @ 1113M HAAT.

KHIX ELY, NV 244 C1 96.7 100. 39-11-53 268.7 245
 CP Topaz Enterprises, In BPH-961223MA -9 114-51-57 262.4 +23.7 CLEAR

KHIX ELY, NV 244 C1 96.7 39-11-53 268.7 245
 DEL L. Topaz Enterprises Docket-98-185 0 114-51-57 262.4 +23.7 CLEAR



(818) 446-3468

ALLOCATION STUDY
 CH 244C1 FOR LEVAN, UT

KBLN CP COORDINATES

08-02-1999

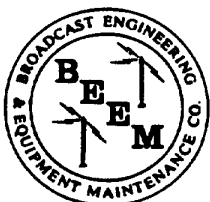
BEEM Company

PAGE 1

FM Study for: FR ADD FCC Database Date: 7/1999 39-37-42
 Location: FOUNTAIN GREEN, UT Channel Class: A 111-38-24
 Call City, State Chan Class Freq kW Latitude Dist. Required
 Status Proponent File Number HAAT Longitude Azm. Clear (km)

>>>>>>> Study For Channel 256 99.1 mHz <<<<<<<<

KBLN	LEVAN, UT	256 A	99.1	6.	39-33-32	14.4	115	
CP	Micro Communications,	BPH-971120MD	100	111-46-55	237.7	-100.6	SHORT	
	Use of 73.215	for short spacing requires:	92		-77.6	SHORT		
KNYN	FORT BRIDGER, WY	256 C1	99.1	27.5	41-21-10	201.31	200	
CP	L Topaz Enterprises,	BPH-970703MN	489	110-54-26	17.7	+1.31	CLOSE	
KNYN	FORT BRIDGER, WY	256 C1	99.1		41-21-10	201.31	200	
DEL	L. Topaz Enterprises,	RM-9321		0	110-54-26	17.7	+1.31	CLOSE
ALLOC	MONROE, UT	257 C2	99.3		38-37-21	119.3	106	
VAC		Docket-97-224		0	112-07-29	200.7	+13.3	CLOSE
A Filing Window for this Channel will be Opened by the Commission in a Subsequent Order.								
KURR	BOUNTIFUL, UT	258 C	99.5	39.	40-36-29	117.4	95	
LIC	Bountiful Broadcastin	BLH-880311KC	900	112-09-33	338.0	+22.4	CLEAR	
KBEEFM	SALT LAKE CITY, UT	254 C	98.7	40.	40-36-30	117.5	95	
LIC	Citadel License, Inc.	BLH-880104KB	894	112-09-34	338.0	+22.5	CLEAR	



(818) 446-3468

ALLOCATION STUDY
 CH 256A FOR FOUNTAIN
 GREEN, UT

PROPOSED DROP-IN COORD.

08-05-1999

BEEM Company

PAGE 1

FM Study for: KBLNC1
Location: LEVAN, UT
Call City, State
Status Proponent

FCC Database Date: 7/1999 39-33-31
Channel Class: C1 111-51-40
Chan Class Freq kW Latitude Dist. Required
File Number HAAT Longitude Azm. Clear (km)

>>>>>> Study For Channel 244 96.7 MHz <<<<<<<<

FR ADD FOUNTAIN GREEN, UT 244 A 96.7 39-37-42 20.5 200
ADD Mountain West Broadca Docket-99-222 0 111-38-24 67.8 -179.5 SHORT
Use of 73.215 for short spacing requires: 178 -157.5 SHORT
Drop-in w/o site restriction req.

KKEX PRESTON, ID 244 C1 96.7 55. 41-52-18 256.9 245
CP Sun Valley Radio, Inc BPH-940203ID 66 111-48-31 1.0 +11.9 CLOSE
From Channel 244A per One-Step Process-Transmitter Site is located in Utah

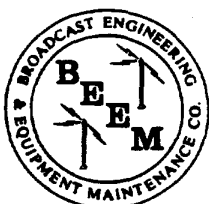
KXRK PROVO, UT 242 C 96.3 38.+ 40-36-28 119.2 105
LIC Acme Broadcasting, In BLH-951207KA 900 112-09-26 347.9 +14.2 CLOSE

KHIX ELY, NV 244 C1 96.7 39-11-53 262.0 245
DEL L. Topaz Enterprises Docket-98-185 0 114-51-57 262.2 +17.0 CLEAR

KHIX ELY, NV 244 C1 96.7 100. 39-11-53 262.0 245
CP Topaz Enterprises, In BPH-961223MA -9 114-51-57 262.2 +17.0 CLEAR

KISNFM SALT LAKE CITY, UT 246 C 97.1 30.0 40-39-35 125.7 105
LIC KISN-FM License L.P. BMLH-890328KA1113 112-12-05 346.8 +20.7 CLEAR
GRANDFATHERED AT 30KW @ 1113M HAAT.

KENZ OREM, UT 298 C 107.5 43. 40-16-48 80.3 41
LIC Monarch Broadcasting, BLH-850517KF 869 111-56-05 355.5 +39.3 CLEAR
GRANDFATHERED @ 45KW AND 869M HAAT




(818) 446-3468

ALLOCATION STUDY
CH 244C1 AT LEVAN, UT
CITY CENTER COORDINATES

CERTIFICATE OF SERVICE

I, Paula Lewis, hereby certify that I have, on this 9th day of August 1999, caused a copy of the foregoing **"Comments and Counter Proposal"** to be served by first class U.S. mail, postage prepaid, to the following:

Victor A. Michael, President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009



Paula Lewis